



ARTHUR JOHNSTON
MADISON COUNTY CHANCERY CLERK
P. O. BOX 404
CANTON, MS 39046
JOHNSTON@MADISON-CO.COM

PHONE 601-855-5526

FAX 601-855-5759

October 21, 2013

TO: Madison County Board of Supervisors

Re: Request to Void Land Sold For Taxes, 2013, Parcel Number 072D-20B-072/02.28

Foreclosure proceedings were begun on July 12, 2012, by Bank of America, N. A. against the record owner, Susan Y. Clements. A Trustee's Deed was conveyed to Bank of America, N. A. n on July 23, 2012. Bank of America N. A. deeded the property to Secretary of Housing and Urban Development, September 7, 2012.

Former owner of the reference parcel, Susan Y. Clements was disallowed homestead exemption and an increase in assessment by the Madison County Tax Assessor due to a change of residence into another county. This re-assessment occurred in March of the current year.

A Special Warranty Deed was conveyed by Secretary of Housing and Urban Development to Christos Properties LLC relating to the referenced property on February 22, 2013.

Christos Properties LLC paid the 2012 taxes on March 4, 2013. However, the re-assessment and homestead chargeback was not paid and sold for taxes August 27, 2013.

The Madison County Tax Collector has filed a civil action against Susan Y. Clements for the homestead chargeback.

According to Attorney General Opinion Docket No. 2006-480 (September 29, 2006), the homestead chargeback is a personal liability and would not be applicable to Christos Properties LLC. It is my recommendation that you void the sale and reimburse the purchaser as follows:

Durrant Inc.
P O Box 3520
Meridian, MS 39303
\$1,041.

Arthur Johnston
Madison County
Chancery Clerk

RECORD AND RETURN TO:
BANK OF AMERICA, N.A.
4500 Amon Carter Blvd
Fort Worth, TX 76155
TS No.: 12-0035403
PARCEL No.: 072D-20B-072/02.28
DHGW 70115G

12⁰⁰ ②
#607

SPACE ABOVE THIS LINE FOR RECORDER'S
PREPARED BY:
DYKE, HENRY, GOLDSHOLL &
WINZERLING, P.L.C.
415 N. MCKINLEY, STE. 1177
LITTLE ROCK, AR 72205
(501) 661-1000

SUBSTITUTE TRUSTEE'S DEED

GRANTOR:

RECONTRUST COMPANY, N.A., SUBSTITUTE TRUSTEE
4500 Amon Carter Blvd
Fort Worth, TX 76155
Telephone No. (800) 281-8219

GRANTEE:

BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP FKA
COUNTRYWIDE HOME LOANS SERVICING, LP
400 National Way
SIMI VALLEY, CA 93065
Telephone No. (800) 669-6650

THE REAL PROPERTY WHICH IS THE SUBJECT OF THIS CONVEYANCE IS DESCRIBED AS FOLLOWS:

1510 LOT 110, COBBLESTONE, PART 1, A SUBDIVISION ACCORDING TO A MAP OR PLAT
THEREOF WHICH IS ON FILE AND OF RECORD IN THE OFFICE OF THE CHANCERY
CLERK OF MADISON COUNTY AT CANTON, MISSISSIPPI, IN PLAT CABINET C, SLIDE
8, REFERENCE TO WHICH IS HEREBY MADE IN AID OF AND AS A PART OF THIS
DESCRIPTION.

KNOW ALL MEN BY THESE PRESENT:

WHEREAS, on August 15, 2007, SUSAN Y CLEMENTS, A SINGLE WOMAN executed a Deed of Trust
to CHARLES A. MYERS as Trustee, with MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.,
ACTING SOLELY AS A NOMINEE FOR REALTY MORTGAGE CORPORATION, A MISSISSIPPI
CORPORATION being shown as Beneficiary therein, under the terms of which the hereinafter described property
was conveyed to said Trustee to secure the payment to the said Beneficiary therein, of a certain indebtedness therein
mentioned and described, which Deed of Trust was recorded as Instrument No. 542827 in Book 2230 at Page 0087
in the Office of the Chancery Clerk of Madison County, Mississippi; and

WHEREAS, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., assigned said Deed of Trust to BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING, LP pursuant to an Assignment of Deed of Trust recorded as Instrument No. 658530 - and in Book 2712 at Page 677 - in the Office of the Chancery Clerk of Madison County, Mississippi; and

WHEREAS, BANK OF AMERICA, N.A. SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING, LP, the current Beneficiary of said Deed of Trust, substituted RECONTRUST COMPANY, N.A., as Trustee therein, as authorized by the terms thereof, as evidenced by an instrument recorded as Instrument No. 673113 - and in Book 2789 at Page 104 - in the Office of the Chancery Clerk of Madison County, Mississippi; and

WHEREAS, default having been made in the payment of the indebtedness secured by said Deed of Trust, and the Beneficiary having exercised the option of declaring the entire unpaid balance of said indebtedness immediately due and payable, and invoking the power of sale, and having directed the undersigned as Substitute Trustee in said Deed of Trust, to sell the property therein described in accordance with the terms and conditions of the said Deed of Trust; and,

WHEREAS, after having advertised the said sale in all respects as required by law and the terms of said Deed of Trust, the undersigned did, on July 12, 2012, within legal hours (between the hours of 11:00 a.m. - 4:00 p.m.) at the South door of the Madison County Courthouse in Canton, Mississippi, offer the hereinafter described land and property for sale to the highest bidder for cash in the manner required by law and the terms and conditions of said Deed of Trust; and,

WHEREAS, at the time and place aforementioned, the undersigned received from the hereinafter named grantee a bid of ONE HUNDRED NINETY-FIVE THOUSAND THREE AND 86/100 DOLLARS (\$195,003.86), which was the highest bid for cash for said land and property, and said bidder was then and there declared to be the purchaser thereof;

NOW, THEREFORE, in consideration of the aforesaid sum, cash in hand paid, the receipt whereof is hereby acknowledged, the undersigned does hereby sell and convey unto BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING, LP the afore-described real estate, together with all the improvements and appurtenances thereunto belonging, situated in Madison County, State of Mississippi.

I hereby convey only such title as is vested in me as Substitute Trustee.

WITNESS MY SIGNATURE, this 23rd day of July, 2012.

RECONTRUST COMPANY, N.A., SUBSTITUTE TRUSTEE
4500 Amon Carter Blvd
Fort Worth, TX 76155
Telephone No. (800) 281-8219

By: J-V J 7-23-12
Title: Jorge Valadez VP

**PROOF OF PUBLICATION
THE STATE OF MISSISSIPPI
MADISON COUNTY**

BOOK 2816 PAGE 569
###

SUBSTITUTE TRUSTEE'S NOTICE OF SALE
WHEREAS, on August 15, 2007, SUSAN Y. CLEMENTS, A SINGLE WOMAN, executed a Deed of Trust to CHARLES A. MYERS as Trustee for the benefit of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ACTING SOLELY AS A NOMINEE FOR MORTGAGE CORPORATION, MISSISSIPPI CORPORATION, which Deed of Trust was filed on August 22, 2007 and recorded as Instrument No. 542827 - and in Book 2230 at Page 0087 - in the Office of the Chancery Clerk of Madison County, Mississippi and

heretofore as evidenced by an instrument recorded in Instrument No. 573113 in Book 2789 at Page 104 in the Office of the Chancery Clerk of Madison County, Mississippi and
WHEREAS, default having been made in the terms and conditions of said Deed of Trust, and the entire debt secured thereby having been declared to be due and payable, and the legal holder of said indebtedness, BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, FKA COUNTRYWIDE HOME LOANS SERVICING, LP having requested the undersigned Substitute Trustee to execute the trust and sell said land and property in accordance with the terms of said Deed of Trust for the purpose of raising the sums due thereunder, together with attorney's fees, Substitute Trustee's fees and expenses of sale, NOW, THEREFORE, RECONTRUST COMPANY, N.A., Substitute Trustee, will on July 12, 2012, offer for sale at public outcry to the highest bidder for cash, within legal hours (between the hours of 11:00 a.m. - 4:00 p.m.) at the South door of the Madison County Courthouse in Canton, Mississippi, the following described property:

LOT 110, BOBBLESTONE PART 1, SUBDIVISION ACCORDING TO A MAP OR PLAT THEREOF WHICH IS ON FILE AND OF RECORD IN THE OFFICE OF THE CHANCERY CLERK OF MADISON COUNTY AT CANTON, MISSISSIPPI, IN PLAT CABINET C, SLIDE B. REFERENCE TO WHICH IS HEREBY MADE IN AID OF AND AS A PART OF THIS DESCRIPTION.

RECONTRUST COMPANY, N.A. will convey only such title as vested in it as Substitute Trustee.

WITNESS my signature on this 17th day of May, 2012.
RECONTRUST COMPANY, N.A.
SUBSTITUTE TRUSTEE
2380 Performance Dr, TX2-094-0407
Richardson, TX 75082
Telephone No. (800) 281-18219

By: /s/ Mahtab Memar
Title: AVP

RECONTRUST COMPANY, N.A.
SUBSTITUTE TRUSTEE
2380 Performance Dr, TX2-094-0407
Richardson, TX 75082
ITS No.: 12-0035403
PARCEL No. 072D-20B-072/02.28

DHCW 70115G-1MM
PUBLISH ON THESE DATES:
FIRST PUBLICATION: June 21, 2012
SECOND PUBLICATION: June 28, 2012
THIRD PUBLICATION: July 5, 2012

RE & WINZER,

PERSONALLY appeared before me, the undersigned notary public in and for Madison County, Mississippi,

ANN MIDDEKE

an authorized clerk of the MADISON COUNTY HERALD, a newspaper as defined and prescribed in Sections 13-3-31 and 13-3-32, of the Mississippi Code of 1972, as amended, who, being duly sworn, states that the notice, a true copy of which is hereto attached, appeared in the issues of said newspaper as follows:

6/21/2012
6/28/2012
7/5/2012

Size: 541 words / 1.00 col. x 149.00 lines
Published: 3 time(s)
Total: \$188.62

Signed Ann Middleke
Authorized Clerk of
The Madison County Herald

SWORN to and subscribed before me on 7/5/2012.

Rick Tyler
Notary Public
RICK TYLER

Notary Public State of Mississippi at Large. Bonded thru Notary Public Underwriters

(SEAL)



RECORD AND RETURN TO:

Secretary of Housing and Urban Development
c/o Michaelson, Conner & Boul
4400 Will Rogers Pkwy, Ste 300
Oklahoma City, OK 73108
TS No.: 12-0035403
PARCEL No.: 072D-20B-072/02.28

SPACE ABOVE THIS LINE FOR RECORDER'S

PREPARED BY:

RECONTRUST COMPANY, N.A. AND
DYKE, HENRY, GOLDSHOLL &
WINZERLING, P.L.C.

415 N. MCKINLEY, STE. 1177
LITTLE ROCK, AR 72205

(501) 661-1000 **Return To:**

ReconTrust Company N.A.

Blanca Duran

1800 Tapo Canyon RD

Simi Valley, CA 93063

SPECIAL WARRANTY DEED

GRANTOR:

BANK OF AMERICA, N.A.
4500 Amon Carter Blvd.
Fort Worth, Texas 76155
Telephone No. (800) 281-8219

TO

GRANTEE:

Secretary of Housing and Urban Development
c/o Michaelson, Conner & Boul
4400 Will Rogers Pkwy, Ste 300
Oklahoma City, OK 73108
Telephone No. 800-669-6650

THE REAL PROPERTY WHICH IS THE SUBJECT OF THIS CONVEYANCE IS DESCRIBED AS FOLLOWS:

LOT 110, COBBLESTONE, PART 1, A SUBDIVISION ACCORDING TO A MAP OR PLAT
THEREOF WHICH IS ON FILE AND OF RECORD IN THE OFFICE OF THE CHANCERY
CLERK OF MADISON COUNTY AT CANTON, MISSISSIPPI, IN PLAT CABINET C, SLIDE
8, REFERENCE TO WHICH IS HEREBY MADE IN AID OF AND AS A PART OF THIS
DESCRIPTION.

KNOW ALL MEN BY THESE PRESENTS:

That BANK OF AMERICA, N.A., acting herein by and through its duly authorized Officers, hereinafter called GRANTOR, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration in hand paid by The Secretary of Housing and Urban Development, hereinafter called GRANTEE, the receipt of which is hereby acknowledged, conveys and specially warrants unto the said Grantee, his/its successors and assigns, forever, all that afore-described parcel of land located in the County of Madison, State of Mississippi.

Grantor also assigns and transfers to Grantee herein all of Grantor's claims and notes representing the indebtedness heretofore secured by liens on the property hereinabove described.

12⁰⁰ (2)
#1601
FED. EX

Prepared by:
R. Cratin Lockett, Jr., Esq.
10 Lakeland Circle
Jackson, Mississippi 39216
(601) 414-4141
MS BAR #100142

Return to:
Lockett Land Title, Inc.
10 Lakeland Circle
Jackson, Mississippi 39216
(601) 414-4141
File # 13-00413 cc

165-12

STATE OF MISSISSIPPI
COUNTY OF MADISON

FHA CASE #281-332788

INDEXING INSTRUCTIONS: Lot 110, Cobblestone, Part 1, Madison County, MS

SPECIAL WARRANTY DEED

This Indenture, made this 22 day of February, 2013 for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), and other good and valuable consideration in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged,

SHAUN DONOVAN, SECRETARY OF HOUSING AND URBAN DEVELOPMENT OF WASHINGTON, D.C.
(Grantor)

c/o PEMCO LIMITED, LTD
Address: 3525 Piedmont Rd, Bldg 5, Ste 310
Atlanta, GA., 30305
Phone#: 404-995-7111

has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey, confirm and specially warrant unto,

CHRISTOS PROPERTIES, LLC (Grantee)
530 Windy Ridge Lane
Madison, MS 39110
(601) 573-4442

the following described property situated in MADISON County, State of Mississippi, and being more particularly described as follows, to-wit:

Lot 110, Cobblestone, Part 1, a subdivision according to a map or plat thereof which is on file and of record in the office of the Chancery Clerk of Madison County at Canton, Mississippi, in Plat Cabinet C, Slide 8, reference to which is hereby made in aid of and as a part of this description.

Being the same property acquired by the part of the first part pursuant to the provisions of the National Housing Act, as amended (12 USA 1701 et seq.) and the Department of Housing and Urban Development Act (42 U.S.C. 3531).

This Deed not to be in effect until the 28 day of February, 2013.

To have and to hold the said property hereinbefore described, with all and singular the rights, members and appurtenances thereunto appertaining, to the only proper use, benefit and behoof of the said Grantee(s), forever, in fee simple; and the Grantor specially warrants the title to the said bargained property above described against the lawful claims of all persons claiming by, through or under the Grantor.

Subject to any and all prior and outstanding leases, exceptions, reservation and/or conveyances of oil, gas and/or other minerals and any geothermal energy resources lying in, on and under the above described real property.

Subject to any environmental condition existing upon the subject property which would cause said property to be in violation of any State and/or Federal Environmental Protection Act.

Subject to any and all covenants, restrictions, easements, conditions and rights-of-way, whether of record or of use, which affect the real property hereby conveyed; and subject to any state of facts an accurate survey would show.

In Witness whereof, the undersigned [Signature], who acknowledged that she/he is HUD-s Delegated Authority of PEMCO LIMITED, LTD has set her/his hand and seal for and on behalf of the said Secretary of Housing and Urban Development, under authority and by virtue of that delegation of authority published at 70 F.R. 43171 (7/26/05), as amended.

SECRETARY OF HOUSING AND URBAN DEVELOPMENT, GRANTOR

[Signature]
By: [Signature]
PEMCO LIMITED, LTD
Its: HUD Delegated Authority


STATE OF GA
COUNTY OF Fulton

Personally appeared before me, the undersigned authority in and for the said county and state, on this 22 day of February, 2013, within my jurisdiction, the within named [Signature] who acknowledged to me that she/he is HUD's Delegated Authority of PEMCO LIMITED, LTD, a Georgia Corporation, and for and on behalf of said Corporation and on behalf of the Secretary of Housing and Urban Development by virtue of that delegation of authority published at 70 F.R. 43171 (7/26/05), as amended and as the act and deed of said Corporation and the Secretary of Housing and Urban Development, she/he executed the above and foregoing instrument, after having first been duly authorized by said Corporation and the Secretary of Housing and Urban Development so to do.

[Signature]
NOTARY PUBLIC

My Commission Expires:

(Seal)

 NICHOLAUS A. RICE
FULTON COUNTY, GEORGIA
NOTARY PUBLIC
MY COMMISSION EXPIRES
FEBRUARY 7TH, 2015

PTAX01 - B
Tax Year 2013

County of Madison
TAX RECEIPT INQUIRY
10/17/2013

Copyright 1994
F M Software

<u>Receipt</u>	<u>Parcel Number</u>	<u>Tax Distr Num</u>	<u>Ex Code</u>	<u>Mills</u>
R 008903	072D-20B-072/02.28	350		116.5300
PTAX01-24 PARCEL HAS UNREDEEMED TAX SALE - SEE CHANCERY CLERK				*SEVERE*
				DELINQUENT TAX DUE - CHANCERY CLERK
	Name		Value	Tax
CLEMENTS SUSAN Y		Total Valuation. .	11417	1,330.42
	Description	Exempt Credit. . .	7500	300.00
LOT 110 COBBLESTONE PART 1 C@8		All Exempt Credit.		
		Net Ad Valorem Tax.		1,030.42

Total Tax	1,030.42
Total Paid (see below).	1,051.03
Interest Due.00
Amount Due.	*PRINTED*

INSTALLMENTS				
	<u>Date</u>	<u>Interest</u>	<u>Batch</u>	<u>Taxes</u>
1	3/04/13	20.61	105	1,030.42
2				
3				

Enter=Next | F1=Search | F3=End | F7=End

*** THIS IS A STATEMENT ONLY. THIS IS NOT A RELEASE. THIS IS NOT A RELEASE.

PPIN 13903 Yr 2012 Entry Parcel No 072D-20B-072/02.28
Description of Property Section Township Range Acres
LOT 110 COBBLESTONE PART 1 C08
assessed to CLEMENTS SUSAN Y and sold to DURRANT INC
STATEMENT OF AMOUNT NECESSARY TO REDEEM Tax Receipt Number 99999

I. DELINQUENT TAX AND FEES DUE INDIVIDUAL OR STATE PURCHASER:

1. Amount of 2012 delinquent tax (Section 27-45-3)	County	274.87	
	City	238.55	
	School	451.85	
2. Interest on delinquent tax (Section 27-41-9)	County	11.00	
	City	9.54	
	School	18.07	
3. Publishers fee (per publication) (Section 25-7-21(3))		3.00	
4. Subtotal lines 1, 2, and 3			1006.88
5. Purchasers interest on line 4 at 1 (or 1.5 for sales after March 27, 1995) per month since sale date. (3 months x 1.5 x line 4) (Section 27-45-3)			45.31
6. Damages (only for sales prior to July 1, 1994) 5 on delinquent tax (5 line 1) (Section 27-45-3)	County		
7. TOTAL AMOUNT DUE TO PURCHASER (lines 4, 5, and 6)			1052.19

II. DAMAGES, FEES AND ACCRUED TAXES DUE TO COUNTY:

8. Damages (only for sales from July 1, 1994) 5 on delinquent tax (5 line 1) (Section 27-45-1)	County	13.74	
	City	11.93	
	School	22.59	
9. County actual postage fee (Section 27-43-3)			
10. Publishers actual fee (if paid by county) (Section 25-7-21)			
11. Accrued Taxes for year (Section 27-45-3)	County		
12. Interest on accrued taxes for year (Section 27-45-3) 1.5 x months	County		
13. Accrued Taxes for year (Section 27-45-3)	County		
14. Interest on accrued taxes for year (Section 27-45-3) 1.5 x months	County		
15. TOTAL AMOUNT DUE TO COUNTY (Lines 8 through 14)			48.26

III. FEES DUE TO COUNTY OFFICIALS

Sheriffs Fees:			
16. 1st Notice (Section 27-43-3)		\$35.00	
17. 2nd Notice (Section 27-43-3)		\$35.00	
18. TOTAL AMOUNT DUE TO SHERIFF (lines 16 and 17)			
Chancery Clerks Fees:			
19. Identify record owners (Section 27-43-3)	\$50.00	50.00	
20. Recording list, each subdivision lot (Section 25-7-21(4) (a))	\$1.00	1.00	
21. Issue 1st sheriffs notice (Section 27-43-3)	\$2.00		
22. Mail 1st owners notice (Section 27-43-3)	\$1.00		
23. Issue 2nd sheriffs notice (Section 27-43-3)	\$5.00		
24. Mail 2nd owners notice (Section 27-43-3)	\$2.50		
25. Issue each lienor notice (Section 27-43-11)	\$7.00		
26. Publishers actual fee, if paid by clerk (Section 27-43-3)			
27. Recording each redemption (Section 25-7-21(4) (d))	\$10.00	10.00	
28. Abstracting each subdivision lot (Section 25-7-21(4) (e))	\$1.00	1.00	
29. Certify amount to redeem (Section 25-7-9(1) (a))	\$1.00	1.00	
30. Certify release from sale (Section 25-7-9(1) (a))	\$1.00	1.00	
31. Subtotal Lines 19 through 30			64.00
32. Calculation subtotal lines 7, 15, 18 and 31	1164.45		
33. Redemption fee 3% x line 32 (Section 25-7-21(4) (f))			34.93
34. TOTAL AMOUNT DUE TO CHANCERY CLERK (Lines 31 and 33)			98.93

IV. AMOUNT TO RECEIVE FROM REDEEMER:

38. GRAND TOTAL (lines 7, 15, 18, 34, 35, 36, and 37)			1199.38
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*** THIS IS A STATEMENT ONLY. THIS IS NOT A RELEASE. THIS IS NOT A RELEASE.

Redemption amount valid until 10/31/2013 Statement printed 10/17/2013 Effective 10/17/2013
May be subject to additional fees if notices or defaults become effective after this date.

Submit Payment to:
ARTHUR JOHNSTON, CHANCERY CLERK
P.O. BOX 404
CANTON, MS 39046